

REMARKS

Applicants submit the present response in reply to the Official Action dated January 4, 2008 (hereinafter "Office Action"). In the Office Action, the Examiner requires a restriction for:

- I: Claims 1-9 and 30-31, drawn to a method of treating **endometrial hyperplasia** comprising: administering a therapeutic amount of an estrogenic compound to a subject; and administering a therapeutic amount of a progestational agent of less than 20mg, classified in class 514, subclass 169+.
- II: Claims 10-26 and 29, drawn to a method of treating **vasomotor symptoms** comprising: administering a therapeutic amount of an estrogenic compound to a subject; and administering a therapeutic amount of a progestational agent of less than 20mg, classified in class 514, subclass 169+.
- III: Claims 27-28, drawn to a method of treating **menopause** comprising: administering a therapeutic amount of an estrogenic compound to a subject; and administering a therapeutic amount of a progestational agent of less than 20mg, classified in class 514, subclass 169+.

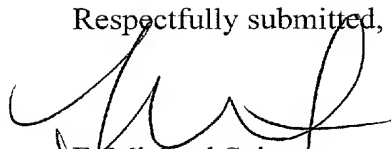
Office Action, Page 2.

In response, Applicant hereby elects Group II, corresponding to Claims 10-26 and 29. Accordingly, Applicant has cancelled Claims 1-9, 27-28, and 30-31. This election is being made without traverse because Applicant agrees that unpatentability of the claims of Groups I and III does not imply unpatentability of the claims of Group II.

In view of the above, Applicant respectfully requests favorable examination on the merits and the allowance of all claims. If the Examiner deems that this response is not completely responsive to the election requirement, the undersigned respectfully asks the Examiner to contact the undersigned at the telephone number listed below so as to resolve any remaining issues.

In re: Thomas W. Leonard
Application No.: 10/821,278
Filed: April 8, 2004
Page 7

Respectfully submitted,

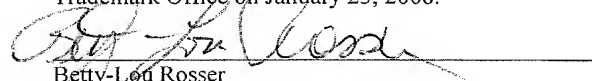


E. Michael Sajovec
Registration No. 31,793

Customer Number **20792**
Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401

**CERTIFICATION OF ELECTRONIC
TRANSMISSION
UNDER 37 CFR § 1.8**

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on January 23, 2008.



Betty-Lou Rosser
Date of Signature: January 23, 2008